IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No. 10794 of 2002

Between:

A.P.Girijana Sangaham West Godavari District Committee
Eluru Road Jangareddigudem,
represented by its President Boragam Bhoochandra Rao

..... PETITIONER

AND

1. The Government of Andhra Pradesh Home Department,
represented by its Principal Secretary Secretariat, Hyderabad.
2. The Government of Andhra Pradesh Revenue Department,
represented by its Principal Secretary Secretariat, Hyderabad.
3. The District Collector, West Godavari District, Eluru.
4. The Superintendent of Police, West Godavari District, Eluru.
5. The Revenue Divisional Officer Kovvur, West Godavari District.
6. The Mandal Revenue Officer Jeelugumilli Mandal, West Godavari District.
7. The Mandal Revenue Officer Buttaigudem Mandal, West Godavari District.
8. The Special Deputy Collector (TW) K.Ramachandrapuram, West Godavari District.
9. The Ministry of Revenue represented by its Secretary
Secretariat, Hyderabad
10.The Director General of Police, Hyderabad.
11.The Commissioner, Tribal Welfare, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of

Mandamus directing the respondents more particularly 1st respondent:- a) to entrust Crime No.55/2002 on the file of II Addl. Judicial First Class Magistrate, Kovvur, to the Central Bureau of Investigation (CBI). b) declare all fake judgments so brought into existence as not in existence and issue appropriate directions to the respondents. c) direct the 4th respondent to produce the material seized from the accused including fake judgments, seals and stamps of High Court for further investigation at the instance of the Hon'ble High Court.

Counsel for the Petitioner: Mr. V.AJAYAKUMAR

Counsel for the Respondents: GP FOR HOME

The Court made the following :

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ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

On 17.6.2002, this Writ Petition was filed seeking a direction against respondents, particularly, Respondent No.1 to entrust Crime No. 55 of 2002 on the file of II Additional judicial First Class, Magistrate, Kovvur, to the Central Bureau of Investigation (C.B.I.) and direct the fourth respondent to produce the material seized from the accused including fake judgments, seals and stamps of the High Court for further investigation at the instance of the High Court.

We need not mention in detail about the facts giving rise to the filing of the Writ Petition, but, needless to add that in the month of April, 2002, at the instance of 4th respondent, it was found that the fake judgments in the name of High Court of Andhra Pradesh were brought into service by one Malladi Somasekhar Rao in order to protect the non-tribals against the interests of the tribals, which lead to the registration of cases.

Number of orders were passed from time to time, pursuant to which, status quo reports were also filed from time to time, by the Deputy Superintendent of Police, C.I.D., RCC, Vijayawada, and, on 24.1.2005, after reviewing the case, instructions were issued to file charge sheet against remaining accused and two Mandal Revenue Officer, against whom sanction was awaited.

Learned counsel for the respondents, on instructions says that G.O.Ms.Nos. 235 and 236 , Revenue (Vig.III) Department, have since been issued on 24.2.2005 according

requisite sanction to prosecute the two Mandal Revenue Officers, and, pursuant thereto, charge-sheets have also been filed in Court, and, in this view of the matter, no further directions deserve to be issued in this Writ Petition, which stands closed. No costs.

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DEVINDER GUPTA, C.J.

16.3.2005.

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B.SESHASAYANA REDDY, J.

VR.

To

1. The Principal Secretary to Government of Andhra Pradesh Home Department, Secretariat, Hyderabad.
2. The Principal Secretary to Government of Andhra Pradesh, Revenue Department, Secretariat, Hyderabad.
3. The District Collector, West Godavari District, Eluru.
4. The Superintendent of Police, West Godavari District, Eluru.
5. The Revenue Divisional Officer Kovvur, West Godavari District.
6. The Mandal Revenue Officer Jeelugumilli Mandal, West Godavari District.
7. The Mandal Revenue Officer Buttaigudem Mandal, West Godavari District.
8. The Special Deputy Collector (TW) K.Ramachandrapuram, West Godavari District.
9. The Secretary, Ministry of Revenue,
Secretariat, Hyderabad
10.The Director General of Police, Hyderabad.
11.The Commissioner, Tribal Welfare, Hyderabad.

12. Two CCs to Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

13) 2 CD copies

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